

requirement, the Applicant previously canceled Claims 8-14 without prejudice or disclaimer. The Applicant does not presently amend, cancel or add any Claims. Accordingly, Claims 1-7 and 15-21 are currently pending in the application.

I. Rejection of Claims 1-7 and 15-21 under 35 U.S.C. §103

The Examiner has rejected Claims 1-7 and 15-21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,939,817 to Takado in view of U.S. Patent No. 5,786,738 to Ikata, *et al.* ("Ikata"), and further in view of U.S. Patent No. 5,923,459 to Filipov, *et al.* ("Filipov"). However, the combination of Takado, Ikata and Filipov fails to teach or suggest first and second SAW circuits located within a shell and respectively couplable to first and second terminal sets, wherin the first and second SAW circuits filter respective first and second signals in respective first and second bands of communication frequencies, as recited in Claims 1 and 15 of the present application.

As conceded by the Examiner, Takado fails to teach or suggest first and second SAW circuits that filter respective first and second signals in respective first and second bands of communication frequencies. (Examiner's Action, page 2). In addition, however, Ikata also fails to teach or suggest first and second SAW circuits that filter respective first and second signals in respective first and second bands of communication frequencies. Ikata merely appears to teach employing parallel filter chips to split or generate a single signal. (Column 1, lines 20-22). This shortcoming of Ikata is evident in the Examiner's citation of Ikata solely for its disclosure of a duplexer arrangement that provides a multi-layer ceramic package with filter chips having different central frequencies. (Examiner's Action, pages 2-3).

Because Takado and Ikata independently fail to teach or suggest employing first and second SAW circuits to filter respective first and second signals, the combination of Takado and Ikata also fails to teach or suggest such filtering of first and second signals. Moreover, Filipov fails to cure the deficient teachings of the combination of Takado and Ikata. That is, Filipov also fails to teach or suggest filtering first and second signals via respective first and second SAW circuits, as recited in Claims 1 and 15 of the present application. To the contrary, the Examiner has asserted that Filipov teaches a SAW device (18) with two transducers (19 and 20) that filter a first signal (21) in a first band of communications frequencies and a second signal (22) in a second band of communications frequencies. (Examiner's Action, page 3). However, as disclosed in Filipov and described in detail below, the SAW device (18) merely diffracts two sheet beams (16 and 17) and shifts them up in frequency. (Column 6, lines 53-55). Thus, the SAW device (18) does not filter first and second signals of different frequencies.

As discussed above, the Examiner has asserted that the two transducers (19 and 20) of the SAW device (18) independently filter the first signal (21) and the second signal (22). However, the transducers (19 and 20) do not filter any signals. In contrast, as known to those skilled in the art, the transducers merely convert the signals appearing at the inputs (21 and 22) to surface waves on the SAW device (18). The signals appearing at the inputs (21 and 22), or the surface waves piezoelectrically induced thereby, interact with the two sheet beams (16 and 17) to shift them up in frequency. (Column 6, lines 46-55). Thus, the signals appearing at the inputs (21 and 22) are not filtered by the transducers (19 and 20). Therefore, the Filipov SAW device (18) and its transducers (19 and 20) do not filter the signals appearing at its inputs (21 and 22), or any other signals.

Accordingly, Filipov fails to teach or suggest filtering first and second signals having different communications band frequencies.

Because Filipov and the combination of Takado and Ikata independently fail to teach or suggest employing first and second SAW circuits to filter respective first and second signals, the combination of Takado, Ikata and Filipov also fails to teach or suggest such filtering of first and second signals. In view of the foregoing remarks, the combination of Takado, Ikata and Filipov fails to support a *prima facie* case of obviousness with respect to Claims 1 and 15 of the present application. In addition, Claims 2-7 and 16-21 are also not obvious in view of the combination of Takado, Ikata and Filipov, because Claims 2-7 and 16-21 are dependent on Claims 1 and 15, respectively. The Applicant therefore respectfully requests the Examiner withdraw the §103 rejection of Claims 1-7 and 15-21.

II. Conclusion

In view of the foregoing remarks, the Applicant now sees all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicits a Notice of Allowance for Claims 1-7 and 15-21.

The Applicant requests the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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